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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800.135	03/12/2004	Hiddenori Usuda	9319G-000738	6913
27572	7590	11/07/2006	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			FEGGINS, KRISTAL J	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/800,135	USUDA, HIDENORI	
	Examiner	Art Unit	
	K. Feggins	2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugahara (6,286,923 B1).

Sugahara et al. disclose the following claimed limitations:

* Re claim 5, a liquid drop ejecting device/ink jetting mechanism/ (Abstract, figs 1, 6-8).

* a liquid drop ejecting head device/130/ which is provided with a liquid drop ejecting head/1/ for ejecting a liquid drop (Abstract, figs 1, 6, 7, 8);

*a detachable storage section/10/ storing at least one of a record datum indicating whether or not the liquid drop is ejected from the liquid drop ejecting head device/1/ (col 5, lines 7-14);

Art Unit: 2861

* a storage controlling section reading/40, that includes 41, 42, 43/ out at least on of the record datum from the detachable storage section/3, 10/ and/or writing at least one of the record datum to the detachable storage section/3, 10/;

* a controlling device/drive circuit, 44/ transmitting the record datum and driving waveform/driving pulses/ driving the liquid drop ejecting head/1/ to the liquid drop ejecting head device/130, ink jetting mechanism, fig 1/ (col 6, lines 45-67, col 7, lines 1-39, figs 1 & 6-8, 11-13).

* Re claim 6, wherein the liquid drop ejecting head device/1/ controls the liquid drop ejecting head/1/ according to the driving waveform/pulses/ which is transmitted from the controlling device/44/ and the record datum/memory unit, 10/ which is read from the detachable storage device/3, 10/ by the storage controlling section/40/ (col 4, lines 46-49, 56-60, col 5, lines 1-14, col 6, lines 45-67, col 7, lines 1-39, figs 1 & 6-8).

* Re claim 7, wherein the controlling device/drive circuit, 44/ transmits a part of the record datum or an entire record datum to the liquid drop ejecting head device/130, ink jetting mechanism/ before the liquid drop ejecting head device/130/ ejects the liquid drop such that the record datum be stored in the storage device/memory, 10/ by the storage controlling section/40/ (col 4, lines 46-49, 56-60, col 5, lines 1-14, col 6, lines 45-67, col 7, lines 1-39, figs 1 & 6-8).

Response to Arguments

4. Applicant's arguments with respect to claims 5-7 have been considered but are moot in view of the new ground(s) of rejection. Please see the above rejection Sugahara. Sugahara discloses an ink jet printer that changes waveform of drive pulse to increase ejection force and the number of times ink is ejected by the head is calculated and stored in the memory which is detachable from the printer (see figs 1, 6-8, 11-13).

Art Unit: 2861

Communication With The USPTO

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Feggins whose telephone number is 571-272-2254. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

kf


K. FEGGINS
PRIMARY EXAMINER